

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**DEPUY MITEK, INC.,
a Massachusetts Corporation,**

Plaintiff,

v.

**ARTHREX, INC.,
a Delaware Corporation and**

**PEARSALLS LTD.
a Private Limited Company of
the United Kingdom**

Defendants.

Civil No. 04-12457 PBS

**DEPUY MITEK'S CERTIFICATION OF GOOD FAITH CONFERENCE IN
SUPPORT OF ITS EMERGENCY MOTION TO PREVENT DEFENDANTS
FROM PRESENTING WITNESSES AT TRIAL WHO WERE NOT DISCLOSED AS
TRIAL WITNESSES DURING FACT OR EXPERT DISCOVERY**

DePuy Mitek, Inc.'s counsel certifies that it met and conferred by telephone in good faith with Arthrex's counsel on July 6, 2007 regarding Mitek's Emergency Motion to Prevent Defendants From Presenting Witnesses at Trial Who Were Not Disclosed As Trial Witnesses During Fact or Expert Discovery. Although the parties met and conferred regarding the this motion, they were not able to resolve it.

Dated: July 6, 2007

DEPUY MITEK, INC.,

By its attorneys,

/s/ Erich Falke

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